

### REMARKS

The Applicant does not believe that examination of the response contained herein will result in the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that this response be entered in and that the claims to the present application, kindly, be reconsidered.

The Final Office Action dated June 16, 2005 has been received and considered by the Applicants. Claims 1-20 are pending in the present application for invention. Claims 1-20 are rejected by the June 16, 2005 Final Office Action.

The Final Office Action rejects Claims 1-20 under the provisions of 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,393,574 issued to Kashiwagi et al. (hereinafter referred to as Kashiwagi et al.).

In the Examiner's response to the Applicant's previous arguments, the Examiner asserts that col. 20, lines 17-60 of Kashiwagi et al. teach that the title list is played back in accordance with the playback sequence as determined by the playback control information, which is done in order of arrangement in the video objects. The Applicant, respectfully, points out that Kashiwagi et al. at col. 20, lines 17-60 teach to define the structure of the title content by describing the cell playback sequence. The Applicant further points out that the defining a playable title list and generating a title list in the order of arrangement within the video object area on the disc are clearly distinguishable. Rejected Claim 1 defines subject matter for defining a playable title as a playback sequence of all complete cells or a subset of complete cells of a recording in the order of allocation within the video object storage area on the disc, and generating a title list of titles sorted in the order of arrangement within the video object area on the disc. Kashiwagi et al. at col. 20, lines 17-60 make no disclosure or suggestion for generating a title list of titles sorted in the order of arrangement within the video object area on the disc. Kashiwagi et al. teach that the structure of the title is the cell playback sequence, not the arrangement within the video object area on the disc.

The Examiner making the rejection regarding Claims 1, 5-6, 10-11, 14-15 and 17 states, that Kashiwagi et al. disclose all the elements of the rejected claims. Specifically, the Examiner states that Kashiwagi et al. show a method of recording an encoded bit stream which is part of a MPEG2 stream, on a disc in Fig. 2, col. 2, lines 17-18, and col. 10, lines 20-29. The

Examiner further states that Kashiwagi et al. disclose the recording of a collection of video objects in a video object storage area of a disc in Fig. 6B, col. 61, lines 51-57. The Examiner further states that Kashiwagi et al. disclose recording management information in a management information area of the disc is shown in Fig. 22.

The Applicant, respectfully, points out that the rejected claims define subject matter for defining a playable title as a playback sequence of cells of a recording in the order of allocation within the video object storage area on the disc, and generating a title list of titles sorted in the order of arrangement within the video object area on the disc. The Examiner states that Kashiwagi et al. disclose this subject matter and that playable titles are shown by Kashiwagi et al. as a playback sequence of all completed cells or a subset of completed cells of a recording, which is shown in Fig. 16, and described on Col. 20, lines 31-39. The Examiner further states that Kashiwagi et al. in Fig. 16 also discusses the generation of a title list and menu. The rejected claims to the present invention define "a playback sequence in the order of allocation within the video object storage area on the disc, and generating a title list of titles sorted in the order of arrangement within the video object area on the disc." The Applicant, respectfully, points out that the rejection contained in the Office Action does not assert that Kashiwagi et al. disclose or suggest a playback sequence in the order of allocation within the video object storage area on the disc. The Applicant further points out that the rejection contained in the Office Action does not assert that Kashiwagi et al. disclose or suggest generating a title list of titles sorted in the order of arrangement within the video object area on the disc. The Applicant has reviewed the teachings of Kashiwagi et al. and there is no disclosure or suggestion for a playback sequence and a title list sorted in the order or arrangement within the video object area. Therefore, there exist recited claimed features within the rejected claims that are not found within Kashiwagi et al.

The Applicant would like to draw the Examiner's attention to the MPEP at §2131 wherein the courts opinion in *Verdegal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) is quoted as stating that a "claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." The Applicant, respectfully, asserts that the rejection contained in the August 13, 2004 Office Action does not set forth each and every element within

the rejected claims, because simply put, the rejected claims require a playback sequence and a title list sorted in the order or arrangement within the video object area. The MPEP at §2131 further quotes the courts opinion in *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) in stating that the "identical invention must be shown in as complete detail as is contained in the ... claim." The Applicant asserts, as previously stated that the rejection contained in the Office Action does not address all the features of the rejected claims. The MPEP at §2131 further quotes the courts opinion in *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990) stating that the "elements must be arranged as required by the claim, but this is not an *ipse dixit* test, i.e., identity of terminology is not required." The Applicant are not requesting that the Examiner apply a litmus test to the terminology employed, the Applicants simply request that the examiner arrange the elements as required by the rejected claims as required by the MPEP and case law. This has not been done by the rejection contained in the Office Action. Therefore, this rejection is respectfully traversed.

The Examiner in making the rejection of Claims 2-4, 7-9, 16 and 18-20 states that the discussion within Kashiwagi et al. relating to the parental block function that allows titles of certain scenes to be omitted from the playback sequence titles discuss free space titles as titles which omit certain content, which would make them titles with free space which also deals with Claims 4 and 9 where a deleted title is converted to a deleted title, in addition to the blocking of free space titles as in the case of a parental block at col. 19, lines 5-25. The Applicant, respectfully, points out that these claims depend from, either directly or indirectly, Claim 1 and 6, and further narrow and define those claims. Therefore, since Claims 1 and 6 are believed to be allowable for the aforementioned reasons, Claims 2-4 and 7-9 are also believed to be allowable.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

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